

1 JOHN S. CHA (SBN 129115)  
2 jcha@raineslaw.com  
3 RAINES FELDMAN LLP  
4 1800 Avenue of the Stars, 12<sup>th</sup> Floor  
5 Los Angeles, California 90067  
6 Telephone: (310) 440-4100  
7 Facsimile: (424) 239-1613

8 MARK E. ELLIOTT (SBN 157759)  
9 [mark.elliott@pillsburylaw.com](mailto:mark.elliott@pillsburylaw.com)  
10 PILLSBURY WINTHROP SHAW PITTMAN LLP  
11 725 South Figueroa Street, Suite 2800  
12 Los Angeles, CA 90017-5406  
13 Telephone: (213) 488-7100  
14 Facsimile: (213) 629-1033

15 Attorneys for Plaintiffs  
16 TC Rich, LLC, Rifle Freight, Inc., Fleischer Customs Brokers, Richard G.  
17 Fleischer, and Jacqueline Fleischer

18 **UNITED STATES DISTRICT COURT**  
19 **CENTRAL DISTRICT OF CALIFORNIA**

20 TC RICH, LLC, a California Limited  
21 Liability Company, RIFLE FREIGHT,  
22 INC., a California corporation,  
23 FLEISCHER CUSTOMS BROKERS, a  
24 sole proprietorship, RICHARD G.  
25 FLEISCHER, an individual, and  
26 JACQUELINE FLEISCHER, an  
27 individual,

28 Plaintiffs,

v.

29 PACIFICA CHEMICAL,  
30 INCORPORATED, a California  
31 corporation, AQUA SCIENCE  
32 ENGINEERS, INC., a California  
33 Corporation, A/E WEST  
34 CONSULTANTS, INC., a Nevada  
35 Corporation, and DOES 1 through 10,  
36 inclusive,

37 Defendants.

Case No. CV 15-4878 DMG (AGR)  
Assigned to the Hon. Dolly M. Gee

**EIGHTH FURTHER JOINT  
QUARTERLY STATUS REPORT  
AS ORDERED BY THE COURT**

Action filed: June 26, 2015  
Discovery: Stayed  
Trial date: None set

1                   The parties jointly submit this Eighth Further Joint Status Report.

2                   The six prior joint reports were filed on:

- 3                   1. January 19, 2018 (Dkt. 91);
- 4                   2. October 19, 2018 [Dkt. 96];
- 5                   3. November 14, 2018 [Dkt. 98];
- 6                   4. February 7, 2019 [Dkt. 100];
- 7                   5. February 28, 2019 [Dkt. 103]; and
- 8                   6. May 14, 2019 [Dkt. 117].
- 9                   7. August 14, 2019 [Dkt. 118].

10                  This Eighth Further Joint Quarterly Status Report addresses the status of the  
 11 site investigation of the environmental contamination and likely returning to  
 12 mediation to conduct a second session.

13                  1. Site Investigation

14                  Pacific is in the field implementing an enhanced reductive dichlorination  
 15 (“ERD”) Pilot Test. The purpose of the ERD Pilot Test is to obtain information that  
 16 will assist in an appropriate full-scale groundwater remediation design, including  
 17 evaluation of the effectiveness of ERD, which is to include bioaugmentation. From  
 18 July 8 to 26, 2019 and from August 12 to 23, 2019, Pacific Chemical’s  
 19 environmental contractor (“Murex”) performed pilot study injections and is in the  
 20 process of collecting performance data from wells within the study area. Murex has  
 21 conducted several post-injection monitoring events and will conduct two additional  
 22 events this month and in February 2020 before reporting on the pilot test to DTSC in  
 23 April 2020.

24                  2. Mediation

25                  The parties continue to anticipate returning to mediation with Mr. Gallagher.  
 26 Defendant contends that the most opportune time to return is after the pilot test  
 27 report is submitted to DTSC in April 2020 to assist in better estimating future  
 28 remedial costs. Plaintiffs agree that a reliable estimate of future costs is important

1 but are concerned that the parties are otherwise in disagreement regarding realistic  
2 assessments of relative liability. Nonetheless, the parties continue to believe that  
3 areas of dispute and agreement were identified with Mr. Gallagher's assistance on  
4 February 22, 2019 and conclude that a further session after more is known about the  
5 extent of contamination and remedial options available to address it will better  
6 position the parties in their efforts to achieve a settlement.

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8 Dated: November 14, 2019

**RAINES FELDMAN LLP**

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*/s/ John S. Cha*

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John S. Cha  
Counsel for Plaintiffs

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Dated: November 14, 2019

**PILLSBURY WINTHROP SHAW  
PITTMAN LLP**

*/s/ Mark Elliot*

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Mark Elliott  
Counsel for Plaintiffs

Dated: November 14, 2019

**PALADIN LAW GROUP® LLP**

*/s/ Bret A. Stone*

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Bret A. Stone  
Counsel for Defendants Pacifica Chemical,  
Incorporated

Dated: November 14, 2019

**FOLEY & LARDNER LLP**

*/s/ Sarah A. Slack*

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Sarah A. Slack  
Counsel for Plaintiff-Intervenor